
CITY OF MEDINA
PLANNING COMMISSION MEETING

Tuesday, November 2, 2004
7:00 p.m.

Medina City Hall
501 Evergreen Point Road

CALL TO ORDER

Meeting called to order by Chairman Lostrom at 7:06 p.m.

ROLL CALL

Present: Chairman Mark Lostrom, Vice Chair Mark Nelson
Commissioners Bret Jordan, Holly Greenspoon, Jim Lawrence

Absent: Commissioner Robert Brog

Staff Present: Cynthia Lamothe, City Engineering Consultant, Roth Hill Engineering;
Joseph Gellings, Director of Development Services; Rachel Baker, Administrative
Assistant

ANNOUNCEMENTS

None

MINUTES

MOTION NELSON, SECOND JORDAN TO ACCEPT MINUTES FROM OCTOBER 5, 2004 PLANNING COMMISSION MEETING AMENDED WITH THE FOLLOWING CHANGES:

- PAGE 3, PARAGRAPH 1, CHANGE "84TH AVENUE NORTHEAST" TO "HIGHMOOR LANE"
- PAGE 6, UNDER DISCUSSION, PARAGRAPH 5, CHANGE "CONCERNED" TO "COMMENTED THAT"
- PAGE 6, LAST PARAGRAPH, LAST LINE, CHANGE "IS" TO "IF"

MOTION PASSED UNANIMOUSLY AT 7:09 P.M.

PUBLIC HEARINGS

Construction Mitigation Plan (CMP) - Level 2 Construction of a new single-family residence Lawski Residence; 7661 Northeast 14th Street

Public Hearing opened at 7:10 p.m.

Lamothe read staff report dated October 27, 2004.

Wayne Dake (*owner's agent*)
22012 234th Avenue Southeast, Maple Valley, WA 98038 (7:11 p.m.)

Dake expressed concurrence and maintained the conditions outlined in the staff report are reasonable.

Dake commented the most critical item would be on-site parking and confirmed daily on-site visits would occur to ensure compliance with conditions outlined in the staff report. Additionally, Dake pledged to meet adjacent neighbors and provide direct contact numbers to them.

DISCUSSION

In response to Jordan, Dake vowed to regularly monitor on-site parking.

Dake indicated receipt of an email from resident, Allyson Jackson, outlining concerns regarding street traffic and safety of children residing in the area. Dake understood and concurred with Jackson's concerns.

In response to Lostrom's inquiry, Dake responded the square footage indicated on the worksheet submitted with project includes the garage.

Responding to Greenspoon, Dake testified the project would be completed within the 11-month timeline.

Judie O'Brien; 7657 NE 14th Street, Medina (7:17 p.m.)

O'Brien's residence is located to the east of the Lawski property. O'Brien disclosed the sport court located on her property encroaches onto the Lawski property. O'Brien informed the Commission the sport court was built prior to her ownership of the home and, additionally, expressed concern about the concrete wall attached to the sport court.

Lostrom suggested Lawski and O'Brien meet to determine property boundaries and, if legal adjustments are required, property owners could come to the City for advice.

Gellings informed O'Brien the structure would be classified as a non-conforming structure until the property owner proposed alterations. Gellings commented the zoning code would offer direction and identify what circumstances would require compliance.

MOTION JORDAN, SECOND LAWRENCE TO ADOPT CONSTRUCTION MITIGATION PLAN NUMBER C-0690 AS OUTLINED AND RECOMMENDED BY STAFF, MOTION PASSED WITH ALL IN FAVOR, AT 7:23 P.M.
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Public Hearing

Zoning Reconstruction Threshold (7:26 p.m.)

Lostrom opened public hearing. No public comments were received.

DISCUSSION

Discussion among commissioners raised the following concerns:

1. Greenspoon requested clarification of "disaggregated". Gellings defined term and confirmed City Attorney, Wines, reviewed the language. Jordan concurred with Greenspoon and suggested Council reconfirm the definition of disaggregated. Jordan stated the definition should be defined to prevent abuse of the system. Gellings will present concern to Wines. (7:35 p.m.)
2. Nelson questioned code language pertaining to damages, which result from a natural disaster. Lostrom recommended to strike all language associated with a percentage level of damage caused by a disaster and rewrite as "in the event of a natural disaster, damages to a non-conforming structure may be reconstructed within the prior existing building envelope without a variance". (7:39 p.m.)

Commission agreed that in the event of a disaster, owners should be allowed to repair structure and rebuild what was destroyed or damaged, regardless of what percentage was destroyed.

Gellings acknowledged concern and will rework language for review.

MOTION NELSON, SECOND JORDAN TO PASS RECONSTRUCTION THRESHOLD TO COUNCIL FOR CONSIDERATION, AS AMENDED, WITH TWO CHANGES DISCUSSED, MOTION PASSED UNANIMOUSLY, 7:55 P.M.
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Public Hearing

Updates to Comprehensive Plan and Critical Areas Regulations (7:57 p.m.)

Gellings introduced consultants, Paul Inghram, from firm of Berryman and Henigar and Dan Nickel, from The Watershed Company, hired to update Medina's Comprehensive Plan and Critical Areas Ordinance.

Inghram provided Commission with Comprehensive Plan updates and noted key issues, which would affect Medina.

During discussion, commissioners addressed the following concerns:

- *Accessory Dwelling Units*
Lostrom suggested the Comprehensive Plan reflect the City's encouragement of accessory dwelling units within Medina.
- *Definition of "Family"*
Lostrom commented on the definition of family in the plan and how it would relate to the use and re-use of residential and non-residential properties in Medina.
- *Essential Public Facilities*
Inghram informed Commission cell towers are not considered essential public facilities and further defined term to Commission.

Lawrence stated Medina's Post Office is operated under a conditional use permit on privately owned property, which is zoned residential. Inghram conveyed the Post Office would be considered an essential public facility. Discussion continued regarding essential public facilities and requirement to incorporate specific criteria and restrictions for such in plan.

Inghram recommended expanding policy in plan to state "Essential Public Facilities and Federal Facilities".

- *SR-520*
Commission agreed to add specific criteria related to SR-520 redevelopment in the Comprehensive Plan. Inghram expressed there would be increased pressure for state departments involved with reconstruction to be consistent and compliant with locally adopted Comprehensive Plans. Inghram conveyed the draft plan includes a few policy statements pertaining to SR-520 and agreed that additional language could supplement Medina's position. Commission discussed the following additions to the Plan:
 - A statement placed stipulating less impacts before, during and after reconstruction, such as "Medina requires conditions better than current, as current conditions are unacceptable"
 - Connectivity designs between north and south Medina and neighboring communities
 - Water quality requirements and prevention of siltation in Fairweather Basin
 - Environmental measures to protect Fairweather Nature Preserve

- *Future Residential/Non-Residential Uses*

Gellings addressed exceptions in Medina's code of by-right use, including Chevron and Wells-Medina Nursery. Gellings offered to research code language related to Horticultural Use in SR-30.

PUBLIC COMMENT

Henry Paulman, 1415 – 80th Avenue NE, Medina (8:25 p.m.)

Paulman addressed issues pertaining to SR-520 and provided suggestions for Comprehensive Plan. Paulman emphasized the importance of preservation of pedestrian connections in Medina and the character of properties bordering SR-520.

Paulman was asked to clarify purpose in letter addressed to Planning Commission, as the intent and meaning of letter were unclear to commissioners, but Paulman declined to comment.

Lawrence left meeting at 9:05 p.m.

Dan Nickel opened discussion of Critical Areas Regulations with presentation of hypothetical situation for a development proposal and the impacts for a given lot, which were illustrated on a visual display. Nickel described current regulations and proposed regulations for fictional proposal (9:09 p.m.).

During discussion, commissioners addressed the following:

- *Buffers*

Nickel stated emphasis of regulations would be to discourage activity within the critical area buffer, unless proper geotechnical analysis and erosion control measures could be obtained.

Nickel commented the draft ordinance appoints applicants the responsibility to address best available science.

- *Water quality*

Nickel commented on known fish populations in Lake Washington and required protection mandates, best available science reviews and regulation protections. Nickel added good water quality is emphasized through enforced buffers to protect streams and lakes.

Nickel conveyed there would be a "Reasonable Use Exception Process" for a lot without a useable building area. If construction expands into the buffer, impacts to buffer would require mitigation. Such improvements to the buffer would be imposed to improve water quality and controls. Nickel added there would be

incentive options for mitigation, tree and bank protection, erosion control, and storm water control measures.

- *Education of residents*

Nelson suggested an article in the next newsletter addressing proposed changes and urging residents to attend a meeting in order to raise the level of awareness of the Comprehensive Plan and potential impacts to property owners. Additionally, Gellings proposed another article to educate residents of lake and stream properties of upcoming changes and to inform residents how to manage and protect lake and streams now.

Nelson requested a graphic for stream impacts to be provided to citizens for easier understanding of proposed changes.

Nelson noted two typos for correction: first located on page seven of cover memo, and second located under heading "Buffer Reduction". Nickel agreed to correct errors.

Gellings conveyed he has a list of housekeeping changes and will make updates prior to the next hearing. Gellings indicated a summary of the Critical Areas Ordinance would be provided and he will research and provide a comprehensive summary of grandfather rights for owners of properties adjacent to critical areas during December meeting.

Gellings recommended another public hearing. Paulman suggested the second public hearing should be held before the Planning Commission, rather than the City Council. Gellings indicated he would propose this idea to the City Council.

ADJOURNMENT

MOTION JORDAN, SECOND NELSON TO ADJOURN NOVEMBER 2, 2004 PLANNING COMMISSION MEETING, MOTION PASSED UNANIMOUSLY AT 9:57 P.M.
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Planning Commission meeting adjourned at 9:57 p.m.

Minutes taken by:

Rachel Baker
Administrative Assistant